

BOARD OF PAROLE HEARINGS
En Banc Decisions
Tuesday, December 13 2011

En Banc Review

Pursuant to Government Code section 11126(c)(4)

LOCKE, JEFFREY	J90711	Governor Referred
Motion:	AFFIRM THE JULY 28, 2011, SUITABILITY DECISION.	
Motion by:	Peck	
Second by:	Anderson, Jr.	
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich, Turner	
Nay:	Robles	
Abstain:		
Not Present:		
Decision:	Affirm	
MOORE, DONNELL	D73077	Referred by Decision Review
Motion:	DISAPPROVE THE 9/15/2011, PROPOSED DECISION AND SCHEDULE A REHEARING ON THE NEXT AVAILABLE CALENDAR FOR THE SOLE PURPOSE OF DETERMINING THE PAROLE RELEASE DATE. THE SAME COMMISSIONER WHO CONDUCTED THE GRANT HEARING SHALL BE PLACED ON THIS REHEARING PANEL.	
Motion by:	Moseley	
Second by:	Peck	
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich, Robles, Turner	
Nay:		
Abstain:		
Not Present:		
Decision:	Rehearing	
SERIN, ERIC ANDREW	K23521	Governor Referred
Motion:	AFFIRM THE JULY 27, 2011, SUITABILITY DECISION PROVIDED THAT RESIDENCY COMPORTS WITH THE RECENTLY SUBMITTED CDC 1707.	
Motion by:	Moseley	
Second by:	Anderson, Jr.	
Aye:	Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Robles, Turner	
Nay:	Prizmich	
Abstain:		
Not Present:		
Decision:	Affirm	
WILLIAMS, TROY	K67708	Referred by Decision Review
Motion:	AFFIRM THE 8/18/2011, PROPOSED UNSUITABILITY DECISION.	
Motion by:	Peck	
Second by:	Ferguson	
Aye:	Anderson, Jr., Ferguson, Figueroa, Garner, Moseley, Peck, Prizmich, Robles, Turner	
Nay:		
Abstain:	Fritz	
Not Present:		
Decision:	Affirm	

Penal Code section 1170(e)

Pursuant to Government Code section 11126(c)(4)

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PC 1170

Motion: THE CONDITIONS UNDER WHICH THE PRISONER WOULD BE RELEASED OR RECEIVE TREATMENT POSE A THREAT TO PUBLIC SAFETY AS REFERENCED IN PENAL CODE SECTION 1170(E)(2)(B). THE INMATE REMAINS IN GENERAL POPULATION AND CAN USE HIS ARMS AND MOVE ABOUT. HE THEREFORE HAS THE CAPACITY TO HARM OTHERS. ADDITIONALLY, THE RELEASE PLANS DO NOT COMPLY WITH JESSICA'S LAW.

Motion by: Robles

Second by: Prizmich

Aye: Anderson, Jr., Ferguson, Figueroa, Fritz, Garner, Moseley, Peck, Prizmich, Robles, Turner

Nay:

Abstain:

Not Present:

Decision: Decline to Refer